UNITED STATES PATENT AND TRADEMARK OFFICE

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10/772,613	02/05/2004	Michael Kovacs	ORACL-01301US1	5069

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EXAMINER
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ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
11/30/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *01 July 2009*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8,15-29 and 31-33* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-8,15-29 and 31-33* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to Amendment filed on 07/01/2009.

2.   Claims 1-8, 15-29, and 31-33 are pending in this application. Claims 1, 2, 7, 15, 19, 21,

22, 26 and 29 have been amended, claims 9-14 and 30 are cancelled, and claims 31-33 are new.

This action is made Final.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.   Claims 3 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

5.   Claim 3 recites the limitation "the second user interface" in line 2. Claim 22 recites the

limitation "the third user interface" in line 4. There is insufficient antecedent basis for these

limitations in the claims.

        Appropriate corrections are required.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-2, 4-6, 15-18, 21, 23-25, 28 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kemper et al. ("Kemper", US 6,804,682) in view of Holtz et al. ("Holtz", US

7,165,248).

As per claim 1, Kemper teaches an interactive tool for manipulating a plurality of

deployment descriptors, comprising:

a plurality of applications (col.10, lines 2-3; *projects*) deployed on a web server (col.22,

lines 48-49), wherein each one of the plurality of applications is associated with one of the

plurality of deployment descriptors that describes deployment and configuration information of

the application on the web server (col.10, lines 1-12);

a builder component capable of creating a master tree data structure based on the present

state of all deployment descriptor files (col.13, 32-62; col.22, lines 43-60); wherein the master

tree data structure represents a state of the logical hierarchy of resources associated with the

plurality of applications at a given time (col.13, lines 36-45; Fig.4, 471).

Although Kemper teaches making changes to deployment descriptor files and refreshing

of the application after modifications have been made (col.14, line 1-col.15, line 3), Kemper

does not explicitly teach creating a separate tree data structure that represents deployment

descriptor information based on the current state of source files in an application's project

directory, wherein the separate tree data structure represents a state of the logical hierarchy of

resources associated with the application, wherein the application is one of the plurality of

applications deployed on the web server; comparing the master tree data structure with the

separate tree data structure; and refreshing the master tree data structure based on the separate

tree data structure, if the master tree data structure is different from the separate tree data structure.

Holtz teaches a tool for resolving conflicting changes in two different trees by comparing the tree structures and resolving any conflicting changes automatically or by user suggestions then updating the trees (Holtz, col.1, line 66-col.2, line 44). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Holtz's teaching with Kemper's tool in order to update trees to reflect all current changes.

As per claim 2, Kemper teaches the interactive tool further comprising: a user interface capable of rendering an error message (col.10, lines 13-18).

As per claim 4, Kemper teaches the interactive tool further comprising:

a parser capable of generating a representation of the at least one deployment descriptor (col.13, lines 35-37);

a generator capable of creating the at least one deployment descriptor (col.13, lines 49-62); and

a validator capable of validating the at least one deployment descriptor (col.13, lines 38-41).

As per claim 5, Kemper teaches the interactive tool wherein the validator is capable of generating an error when it encounters a syntactic or semantic fault in the at least one deployment descriptor (col.10, lines 13-18).

As per claim 6, Kemper teaches the interactive tool wherein: the builder component is further capable of automatically updating the at least one deployment descriptor to reflect one or more changes in at least one source code file (col.22, lines 23-24).

Claims 15 and 21 are similar in scope to claim 1, and are therefore rejected under similar rationale.

Claims 16-18 and 23-25 respectively are similar in scope to claims 4-6 respectively, and are therefore rejected under similar rationale.

As per claim 28, Kemper teaches the interactive tool wherein the interactive tool is capable of automatically repairing a first deployment descriptor of the at least one deployment descriptors if the first deployment descriptor is defective (col.22, lines 23-24).

As per claim 33, Kemper teaches the interactive tool wherein the builder component is further capable of generating a new deployment descriptor for the application from the refreshed master tree data structure (col.24, lines 1-7).

8.   Claims 3, 8, 20, 22, 27, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemper et al. ("Kemper", US 6,804,682) and Holtz et al. ("Holtz", US 7,165,248) in view of Chan et al. ("Chan", US 2003/0028364).

As per claim 3, the invention of Kemper and Holtz teaches the interactive tool of claim 2 wherein an error message is rendered (Kemper, col.10, lines 13-18). However, the invention of Kemper and Holtz does not teach wherein user selection of the error message can cause the second user interface to render a user-editable representation of the at least one deployment descriptor component that is in error. Chan teaches an interactive tool for manipulating a file wherein an error message and the associated position of the error is displayed (Chan, para.0036). It would have been obvious to one of ordinary skill in the art at the time of the invention to

include Chan's teaching with the invention of Kemper and Holtz in order to locate the error
quickly.

As per claim 8, the invention of Kemper and Holtz teaches the interactive tool wherein
the at least one deployment descriptor can be expressed as JAVA (Kemper, col.8, line 32).
However, the invention of Kemper and Holtz does not teach the deployment descriptor to be
expressed as an Extensible Markup Language document. Chan teaches an interactive tool
wherein the deployment descriptor can be expressed as an Extensible Markup Language
document (Chan, para.002). It would have been obvious to one of ordinary skill in the art at the
time of the invention to include Chan's teaching with the invention of Kemper and Holtz in order
to accommodate other types of files.

Claims 22 and 32 are similar in scope to claim 3, and are therefore rejected under similar
rationale.

Claims 20 and 27 are individually similar in scope to claim 8, and are therefore rejected
under similar rationale.

As per claim 29, the invention of Kemper and Holtz teaches the interactive tool wherein
the builder component is capable of creating a tree data structure expressed as JAVA (Kemper,
Fig.4, col.8, line 32). However, the invention of Kemper and Holtz does not teach the builder
component capable of creating a tree data structure that embodies hierarchical relationships of
nested XML statements. Chan teaches an interactive tool wherein the building of applications is
capable of creating tree data structures using XML (Chan, para.002). It would have been
obvious to one of ordinary skill in the art at the time of the invention to include Chan's teaching
with the invention of Kemper and Holtz in order to accommodate other types of files.

9.   Claims 7, 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kemper et al. ("Kemper", US 6,804,682) and Holtz et al. ("Holtz", US 7,165,248) in view of

Timbol (US 6,237,135).

As per claim 7, the invention of Kemper and Holtz teaches the interactive tool wherein

the hierarchical representation can include information pertaining to JAVA (Kemper, col.8, line

32). However, the invention of Kemper and Holtz does not explicitly teach the information to

pertain to an archive file. Timbol teaches an interactive tool for manipulating a file wherein the

hierarchical representation can include information pertaining to a Java archive file (Timbol,

col.10, lines 24-26). It would have been obvious to one of ordinary skill in the art at the time of

the invention to include Timbol's teaching with the invention of Kemper and Holtz in order to

accommodate other types of files.

Claims 19 and 26 are similar in scope to claim 7, and are therefore rejected under similar

rationale.

10.   Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kemper et al.

("Kemper", US 6,804,682) and Holtz et al. ("Holtz", US 7,165,248) in view of Birkler et al.

("Birkler", US 6,466,951).

As per claim 31, the invention of Kemper and Holtz teaches the updating of binary

modules (Kemper, col.24, lines 1-7). However, the invention of Kemper and Holtz does not

teach the invention wherein the builder component is further capable of keeping a module in the

master tree data structure to allow applications other than a current application to use the module,

even after the module is removed from the current application. Birkler teaches an interactive

tool for synchronizing two files wherein a file stored on the current application may delete an item which is not deleted on the host or master application (Birkler, col.5, line 66-col.6, line 29). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Birkler's teaching with the invention of Kemper and Holtz in order to prevent accidental deletion of items.

Response to Arguments

11.   Applicant's arguments with respect to Amendment filed 07/01/2009 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communications

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sajeda Muhebbullah whose telephone number is **(571) 272-4065**.

The examiner can normally be reached on Wednesday/Thursday and alt. Mondays from 8:00 am

to 4:30 pm (EST).

　　　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dennis Chow, can be reached on (571) 272-7767.

　　　　The central fax number for the organization where correspondence for this application or

proceeding is assigned is (571) 273-8300.

　　　　Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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